IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO: 30420 of 1997

Between:

Bhoom Reddy Ramaiah, S/o Veeraiah,
R/o Kottalapalli , Veligundla Mandal,
Prakasam District.

... PETITIONER

AND

1 Government of A.P., Rep. by Principal Secretary,
Irrigation & CAD Department, Hyderabad.
2 The District Collector,
Prakasam District Ongole.
3 The Election Officer, Kottalapalli Tank Water Users Association,
Veligondla Mandal, Prakasam District.
(Dismissed for default against R3 as per court order dt.04.9.2000)

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in postponing the elections to the Kottalapalli Tank Water Users Association, Veligondla Mandal, Prakasam Dist by invoking the powers under section 4(4) of the A.P. Farmers Management of Irrigation Systems Act, 1997 is illegal and arbitrary and the same is contrary to the proviso to section 4(4) of the Act and consequently direct the respondent to hold the election from the stage where it has been stayed.

Counsel for the Petitioner: MR. O.MANOHER REDDY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following:

ORDER: -

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This writ petition is filed seeking *mandamus* declaring the action of the first respondent in postponing the elections to the Kottalapalli Tank Water Users Association, Veligondla Mandal, Prakasam Dist by invoking the powers under section 4(4) of the A.P. Farmers Management of Irrigation Systems Act, 1997 (for short, 'the Act') as illegal, arbitrary and contrary to the proviso to Section 4(4) of the Act and consequently direct the respondents to hold the election from the stage where it has been stayed.

2. When the matter is called, no representation is made on behalf of petitioner.

3. The learned Government Pleader for Irrigation and Command Area Development submits that the relief sought for by the petitioner has become infructuous.

4. Accordingly, the writ petition is dismissed as infructuous. No costs.

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N. V. RAMANA, J

Dt.04-04-2005

Glv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. The Principal Secretary, Irrigation & CAD Department,
Government of A.P., Hyderabad.
2. The District Collector,
Prakasam District Ongole.
3. Two CCs to the Government Pleader for Irrigation and Command area Development, High Court Buildings, Hyderabad. (OUT)

Two CD copies

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